

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, APRIL 18, 2006, 7:00 P.M.**

The City of Leon Valley, Texas, met in Regular Meeting on the 18th day of April 2006 at 7:04 p.m., at the Leon Valley City Council Chambers, for the purpose of the following business, to-wit:

Call to Order and Pledge of Allegiance.

Mayor Riley called the meeting to order and asked that the minutes reflect that the following members of Council were present: Maloy, Lange, Semmelmann, Dean, and Rangel.

City Manager Cortes, City Secretary Feutz, Fire Chief Irwin, Assistant Public Works Director Steele, Police Chief Oakes, City Accountant Wallace, Community Development Director Smith, Economic Development Liaison Caldera, Human Resources Officer Schendel, and Library Director Trent were also present.

Mayor Riley asked Amy Stahl, whose mother is a member of the Trade and Market Days' Committee, to lead the Pledge of Allegiance.

Consider Approval of Minutes of the Regular City Council Meeting of April 4, 2006.

A motion was made by Councilmember Rangel, seconded by Councilmember Dean to approve the minutes of the Regular City Council Meeting of April 4, 2006. Upon vote, the motion carried.

Presentation by Bexar County Elections Administrator on the "iVotronic" Touch-Screen Voting Machines to Be Used in the City of Leon Valley's May 13, 2006 General Election.

Mayor Riley welcomed Bexar County Elections Administrator Jacque Callanen and her Technical Support Specialist Jose Jackson to the meeting. Ms. Callanen addressed Council stating that Bexar County has used the iVotronic electronic voting equipment for three years and has successfully held 75 elections using the equipment. She explained that the City's increased election costs this year are due primarily to using the electronic voting equipment. She explained some of the costs for the electronic voting equipment and reviewed the support Bexar County's Elections' Office will be providing the City during the actual voting period. Ms. Callanen explained that there were safeguards in place to prevent a blackout during the voting with any power failure because the machines have a battery backup. She also explained that the votes cast are preserved three different ways on each machine so that no one's vote would be lost. Ms. Callanen explained that the ADA electronic voting machines will allow blind and visually challenged voters to cast a secret ballot, as the voting machine has headphones which will allow the visually challenged voter to hear the ballot read to them in English or Spanish.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, APRIL 18, 2006, 7:00 P.M.**

Presentation of Proclamation for Leon Valley Trade and Market Days.

Mayor Riley announced that Governor Rick Perry had sent a proclamation for the Leon Valley Trade and Market Days and invited members of the Trade and Market Days Committee to come forward. Councilmember Maloy, the Trade and Market Days Committee Liaison, read aloud the proclamation from the Governor. Mayor Riley reminded everyone of the next Trade and Market Days event was to be held on May 13, 2006 and thanked the Committee for its work.

Presentation of Fire Safety Awards to Members of Cub Scout Pack 484 for Their Assistance in Promoting Fire Safety in the City of Leon Valley.

Deputy Fire Marshal Luiz Valdez addressed Council explaining that the Fire Department had been working with the Texas Forest Service to assess risks associated with fire safety where urban areas abut tracts of land with brush and trees and other natural vegetation called "Urban-Wildland Interface". Marshal Valdez explained that on April 2, 2006, members of Cub Scout Pack 484 had assisted the Fire Department in walking door-to-door and handing out brochures designed to alert residents of protection steps they could use in protecting their homes from wildfires. Marshal Valdez and Fire Chief Irwin presented the troop members with a Fire Safety Award for their efforts.

Presentation of Service Awards for Employees with 25 and 30 Years of Service to the City.

Mayor Riley presented a gold watch as a 25-year service awards, to both Armando G. Martinez, Water Crew Foreman, who was hired on February 11, 1981, and to Kitty Roach, Leon Valley Police Department Records Clerk, who was hired on April 1, 1981. Mayor Riley presented a clock as a 30-year service award, to Fire Chief Stan Irwin, who was hired on April 1, 1976. Mayor Riley thanked each employee for their dedicated service to the citizens of Leon Valley.

New Business.

Citizens to Be Heard and Timing for Objections to Consent Agenda.

Mayor Riley asked if any members of Council wished for any items on the Consent Agenda to be removed for discussion. Hearing no one, Mayor Riley asked if anyone in the audience wished to address Council.

Phillip Manea, Chairman of the Business Alliance Committee (BAC), addressed Council reminding them that Business Alliance Committee had previously asked of a decision by Council on a Master Sign Plan case before them until after the BAC had presented their recommendations for changes to the existing Sign Code. Mr. Manea stated that the Committee failed to make a quorum at their April 10, 2006 meeting and were holding an emergency meeting on April 19 2006 to address issues raised concerning the Sign Ordinance. He asked Council that they again consider postponing any decision on the

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, APRIL 18, 2006, 7:00 P.M.**

rescheduled Master Sign Plan Case on this date's agenda until after the Committee had the opportunity to bring their recommendations for the Sign Ordinance to the Council.

Consent Agenda.

Consider M&C #04-03-06 - Authorize the Purchase of Washer and Dryer for the Fire Department for the Lowest Quote of \$2,606 from Best Wash.

Consider M&C #04-04-06 - Budget Adjustments for the Fire Department for EMS Supplies and Equipment.

Consider M&C #04-06-06 - a Request to Approve the Purchase of Two Solar-Powered School Zone Lights and Upgrade of the Red Flashing Signal at the Evers and Seneca Intersection for a Cost of \$18,110 from MICA Corporation.

A motion was made by Councilmember Rangel, seconded by Councilmember Dean to approve items on the Consent Agenda. Upon vote, the motion carried.

Regular Agenda

Presentation of Annual Report by the Historical Society of Leon Valley.

Historical Society of Leon Valley Representative, Carol Poss, reported that the Annual Reports from the Society had two parts. She explained that the Conservation Action Plan was included in the Council packet. Due to technical difficulties, Mayor Riley asked that the presentation be delayed until later in the meeting. Ms. Poss agreed.

Consider Master Sign Plan #06-002 - with Attached Variances - a Request by Capital Investment Group, Applicant and Property Owner, for Consideration of a Master Sign Plan Proposal for a Shopping Center, Located at 7007 Bandera Road, Being Lots 9 and 10, Block 1, CB 4446, Clear Creek Shopping Center Subdivision.

Mayor Riley announced that this case was originally heard by City Council on April 4, 2006 and that a decision was tabled to be reconsidered at this April 18, 2006 City Council Meeting. She stated that the Zoning and Land Use Commission recommended approval with conditions and that staff concurred. Mayor Riley reminded Council that this was the case that, earlier in the meeting, Business Alliance Committee representative, Phillip Manea, had asked Council to postpone until the Business Alliance Committee could bring their Sign Code recommendations to Council.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, APRIL 18, 2006, 7:00 P.M.**

A motion was made by Councilmember Dean, seconded by Councilmember Rangel, to postpone consideration of the case until after the Council has heard from the Business Alliance Committee at the next Regular City Council Meeting, May 2, 2006. The case applicants' agent, Brian Hamilton, stated that the applicant would be agreeable to the postponement. Upon vote, the motion carried.

**Presentation of Annual Report by the Historical Society of Leon Valley - a
Continuation.**

Historical Society representative Carol Poss continued her presentation with a slide show of scenes from the property which the Historical Society is leasing from the City. She stated that the Historical Society had leased the 36-acre property from the City since April 15, 2005. She presented an overview of the activities that the Historical Society had held over the preceding twelve months in connection with the Leon Valley Huebner-Onion Natural Area. Ms. Poss explained that the property had been surveyed for existing flora and fauna on the property and that the established trails were constructed with minimal impact on the area.

Members of Council expressed their concerns about any policies being made on the property that would remove non-native plants and deer; references made to "trails" in their Conservation Plan Document; safety concerns for property visitors and directions for visitors on the property; the use of City Staff for brush removal on the leased property, and the need for the Society to work with Council and to keep Council informed.

Historical Society President Darby Riley explained that if the Council did not wish to have the Society remove any existing non-native plantings of bamboo and other non-native plants, that the Society would be agreeable to sitting down with the City to discuss the issues. Mr. Riley acknowledged that the Society understood Council's directive regarding trails on the property.

City Manager Cortes explained that the City had worked with the Society based on the fire safety issues and the availability of manpower. He stated that for the two days of work, the clean-up cost approximately \$2400. Councilmember Maloy asked why the City was helping with the property clean up when citizens in Leon Valley were being sent letters from Code Enforcement to clean up their property and that City help was not being provided to the citizens for any property clean up. Society President Riley stated that he had asked the City to help in cutting the underbrush that bordered residential fence lines as a fire prevention measure. Councilmember Maloy expressed her concerns that Council should be asked if City funds and manpower are to be used to assist the Society.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, APRIL 18, 2006, 7:00 P.M.**

Councilmember Rangel asked for the Society to provide six-month reports and for the Society to provide a ten-year plan. Mr. Riley explained that the Conservation Action Plan was their long-term plan. Mr. Riley explained that the Society was trying to obtain grants for restoration of the Huebner-Onion House and their goals were to restore the porch and restore electricity to the house. He stated that \$130,000 had already been spent on the property.

Corresponding Secretary Gayle Green from the Historical Society addressed Council stating that the Society volunteers had cleaned the property, which she described as being in bad shape, when the Society took the lease of the property.

Consider M&C # 04-05-06 with an Attached Ordinance - a Request by Gloria Brozek and Roland Salazar, Property Owners, to Vacate, Abandon and Close the Alley to the Rear of Lots 6, 7, and 8 and Lot 33, Block B, CB 4446a, Linkwood Subdivision.

Community Development Department Director Melinda Smith addressed Council stating that the case was a request from the property owners for the City to vacate, abandon, and close a portion of the alley to the rear of Lots 6, 7, and 8, and Lot 33, Block B, CB 4446A, Linkwood Subdivision. Ms. Smith reviewed the background of the property to include the recommendations of the 1978 Linkwood Study which recommended that the alleys in Blocks A and B which front Bandera Road be closed. Ms. Smith explained that the City would retain a utility easement until Lots 6, 7, and 8 were developed and then a new utility easement would be requested on the Bandera Road frontage, and the former easement in the alley would be released. She stated that contact was being made with each of the remaining property owners to prepare for closing the remaining portions of the alley.

Ms. Smith explained the differences between a previous alley closure in the Pavona Place Subdivision area that involved sale of the alley to property owners when the alley was closed. Ms. Smith stated that Pavona area alley was property purchased by the City from the RTC and therefore, the City was required to sell the property. She added that the Linkwood Alley closure was governed by the plat, created in 1956, which created three ownership interests: the City, the public, and the private property owner. She explained that Council was acting on behalf of the City and the public. She stated that if Council voted to vacate and close the alley, the City and the public will lose all interest in the property leaving the property owner as the only remaining owner of the alley. She noted that the property owner will create an amending plat and then that land will be put on the City tax rolls. Ms. Smith also noted that because the City was not the sole owner of the alley, it could not impose conditions of the closure to require the existing property owner to put up fencing as it had done when it required property owners in the Pavona area to fence the property from the alley closure as a condition of their purchase of the property from the City.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, APRIL 18, 2006, 7:00 P.M.**

Following discussion, a motion was made by Councilmember Maloy, seconded by Councilmember Lange, to approve the M&C #04-05-06 with attached Ordinance 06-008 as presented. Upon vote, the motion carried.

Proclamation for the Week of May 14-20, 2006 as “Emergency Medical Services Week”.

Mayor Riley read the proclamation proclaiming the week of May 14 - 20, 2006 as Emergency Medical Services Week. Chief Irwin introduced Firefighter Bill Lawson stating that Mr. Lawson had done much of the work for the Health and Safety Day to be held May 20, 2006 at the Conference Center from 10:00 a.m. - 3:00 p.m. Mr. Lawson announced that over 150 people participated in the event last year and he invited everyone to attend the planned event.

City Manager Report.

City Manager Cortes presented that March 2006 Financial Statement reviewing budgeted versus actual year-to-date revenues and expenditures. He stated that the sales tax income was still lower than last year's tax revenue but he noted that interest earned was higher than expected.

City Manager Cortes introduced Fred Stolz, Assistant to the Public Works Director, who presented an overview of the sidewalk policy. Mr. Stolz explained that the policy set a plan for an effective and efficient program for replacement, repair and construction of sidewalks in the City. He presented the procedures and the work plans that had been set up for this policy.

City Manager Cortes informed Council that staff had completed an inventory of sidewalks in the City which need repairs, replacement or new construction. He also explained that staff was completing a survey of sidewalk policies of other cities to see who pays for sidewalk repairs and replacements in other municipalities. He informed Council that although the survey was not complete, property owners in other cities pay for the repairs and replacement of sidewalks. Council discussion with the Manager followed concerning liability issues with repair programs, the use of economic development funds for a sidewalk program, and City financing of a repair program. Mr. Cortes explained that to complete the estimated repairs, replacements and a new construction program would cost the City approximately \$1.1 million whereas repairs and replacements would cost approximately \$300,000.

Council asked for more information on how cities can enforce requirements for residents to repair their sidewalks and to make their sidewalks ADA accessible, and they asked for further information as to when cities started requiring their residents to pay for the sidewalk repairs.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, APRIL 18, 2006, 7:00 P.M.**

Citizens to be Heard.

Phillip Manea invited Council and the audience to attend the Leon Valley Area Chamber of Commerce's Annual "Meet the Candidates" lunch and silent auction fund raiser to benefit the Historical Society's Huebner-Onion Homestead Restoration Project.

Announcements.

Councilmember Maloy thanked staff, Council and the Trade and Market Day's Committee for their support of the first Trade and Market Day's Event. She expressed her concerns about the amount of work a small number of volunteers from both the Civic Affairs Committee and the Trade and Market Days' Committee were being tasked to accomplish. She stated that more members are needed. She recommended that Council allow an Auxiliary Committee to be formed on the Trade and Market Days Committee. She proposed that members of this Auxiliary Committee be only required to work one shift, four Saturdays per year at the actual Trade and Market Event Days and to attend one orientation meeting as their commitment to the Trade and Market Days Committee.

Councilmember Semmelmann announced that the Stormwater Committee would be meeting in June.

Councilmember Dean complimented the work done for the Trade and Market Days and complimented and thanked leaders who work with the area's Scout programs

Councilmember Rangel recommended that members of Council who serve as Committee Liaisons spend only six months on an assigned committee and then they rotate to another committee.

City Secretary Feutz reminded everyone that early voting in person begins May 1, 2006.

Mayor Riley thanked UTSA students who have been attending Council meetings. Mayor Riley announced that she would be attending the Civic Affairs Committee meeting on April 19, 2006 to see if a Fourth of July Parade can be set up for this year despite a small number of volunteers on the Committee. She expressed her concerns that volunteers are not as plentiful as they have been in the past and she invited anyone to contact her if they are interested in volunteering on a committee. She also reminded everyone one of the need to conserve water.

Mayor Riley announced that a Public Meeting would be held on April 25, 2006 at 7:00 p.m. at the Conference Center to discuss Bandera Road traffic congestion issues. She invited everyone to come and share their comments.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, APRIL 18, 2006, 7:00 P.M.**

Mayor Riley announced that the son of a Leon Valley resident, Marine Corporal Stephen Perez, was killed in action in Iraq last week. Mayor Riley said that she contacted the mother of the Corporal Perez to express condolences. She stated that the Blue Star Mothers would like to hang yellow ribbons in front of City Hall. Councilmember Semmelmann suggested that the yellow ribbons also be allowed at the Library. No objections were raised by Council members to the idea.

Convene into Executive Session Pursuant to Section 551.072 of the Government Code, "Deliberation Regarding Real Property" to Discuss Property Acquisition.

Councilmember Semmelmann asked if it was essential for Council to discuss the issue on this date, as the hour was getting late. City Manager Cortes stated that the Executive Session was only a discussion session.

A motion was made by Councilmember Semmelmann, seconded by Councilmember Rangel, to table this agenda item indefinitely until the City Manager is ready to have the item returned for Council's consideration. Upon vote, the motion carried.

Reconvene into Open Session.

Because Council did not convene into Executive Session, open session was never closed.

Adjourn.

Mayor Riley asked if there was any other business, hearing no one, she adjourned the meeting at 9:10 p.m.

Mayor

ATTEST:

City Secretary